

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2020 SEP 24 A 11:32

CLERK J. Hodge
SO. DIST. OF GA.

RUSSELL GAITHER,

Plaintiff,

v.

CV 120-094

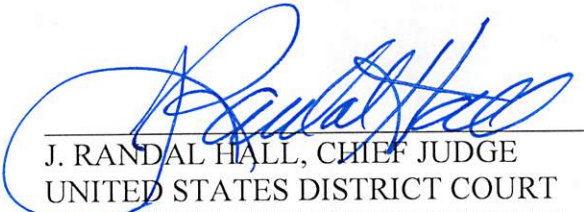
SGT. JAMES DEAL, Warden; MARTY
ALLEN, Warden; DEPUTY WARDEN
SHEENA BLACK; and MR. ODGEN,

Defendants.

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Court **DENIES** Plaintiff's request to proceed *in forma pauperis*, (doc. no. 2), **DENIES AS MOOT** the motions for appointment of counsel and motion to amend, (doc. nos. 3, 5, 7), **DISMISSES** this action without prejudice, and **CLOSES** this civil action. If Plaintiff wishes to proceed with the claims raised in this lawsuit, he must initiate a new lawsuit, which would require submission of a new complaint. See Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002).

SO ORDERED this 24th day of September, 2020, at Augusta, Georgia.


J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA